



CUPERTINO

CITY OF CUPERTINO

AGENDA

CITY COUNCIL

10300 Torre Avenue and 10350 Torre Avenue

Monday, November 5, 2018

4:30 PM

Moved due to Election Day. Special Meeting Non-televised Closed Session (4:30) and Televised Study Session (5:30); Followed by Televised Regular Meeting (6:45)

NOTICE AND CALL FOR A SPECIAL MEETING OF THE CUPERTINO CITY COUNCIL

NOTICE IS HEREBY GIVEN that a special meeting of the Cupertino City Council is hereby called for Monday, November 05, 2018, commencing at 4:30 p.m. for a Closed Session in City Hall Conference Room A, 10300 Torre Avenue, Cupertino, CA 95014 and at 5:30 p.m. for a Study Session in Community Hall Council Chamber, 10350 Torre Avenue, Cupertino, California 95014. Said special meeting shall be for the purpose of conducting business on the subject matters listed below under the heading, "Special Meeting." The regular meeting items will be heard at 6:45 p.m. in Community Hall Council Chamber, 10350 Torre Avenue, Cupertino, California.

SPECIAL MEETING

ROLL CALL - 4:30 PM

City Hall Conference Room A, 10300 Torre Avenue

CLOSED SESSION

- 1. Subject: Public Employee Employment (Gov't Code 54957(b)(1); Title: City Manager Recruitment**

STUDY SESSION - 5:30 PM

Community Hall Council Chamber, 10350 Torre Avenue

2. Subject: Study Session regarding the Citywide Building Condition and Use Assessment
Recommended Action: Accept a presentation on Citywide Building Condition and Use Assessment and provide staff with input prior to completion of the report.
[Staff Report](#)

ADJOURNMENT

REGULAR MEETING

PLEDGE OF ALLEGIANCE - 6:45 PM

Community Hall Council Chamber, 10350 Torre Avenue

ROLL CALL

CEREMONIAL MATTERS AND PRESENTATIONS

POSTPONEMENTS

ORAL COMMUNICATIONS

This portion of the meeting is reserved for persons wishing to address the council on any matter not on the agenda. Speakers are limited to three (3) minutes. In most cases, State law will prohibit the council from making any decisions with respect to a matter not listed on the agenda.

CONSENT CALENDAR

Unless there are separate discussions and/or actions requested by council, staff or a member of the public, it is requested that items under the Consent Calendar be acted on simultaneously.

1. Subject: Approve the October 16 City Council minutes
Recommended Action: Approve the October 16 City Council minutes
[A - Draft Minutes](#)

2. Subject: Second Amendment Agreement with Avocette Technologies, Inc. for professional services in implementing Accela Permitting and Land Management System.
Recommended Action: Authorize the City Manager to execute a Second Amendment Agreement with Avocette Technologies, Inc. for the implementation of Accela Permitting and Land Management System, which represents \$109,362 added to the Council approved First Amendment Agreement in the amount of \$299,143 for a total of \$408,505.
[A - Staff Report](#)
[B - Draft Avocette Second Amendment Agreement](#)
3. Subject: Application for Alcohol Beverage License for Qin-Tang Charm Restaurant, Inc (dba Qin-Tang Charm Restaurant), 10271 Torre Avenue
Recommended Action: Recommend approval to the California Department of Alcoholic Beverage Control of the application for Alcohol Beverage License for Qin-Tang Charm Restaurant, Inc (dba Qin-Tang Charm Restaurant), 10271 Torre Avenue
[Staff Report](#)
[A-Application](#)
4. Subject: Application for Alcohol Beverage License for Alchena Capital, LLC (dba Kiku Sushi), 1655 S. De Anza Boulevard
Recommended Action: Recommend approval to the California Department of Alcoholic Beverage Control of the application for Alcohol Beverage License for Alchena Capital, LLC (dba Kiku Sushi), 1655 S. De Anza Boulevard
[Staff Report](#)
[A-Application](#)
5. Subject: Mitigation Fee Act - Annual and Five-Year Report - Fiscal Year 2017-2018
Recommended Action: Accept the Five-Year and Annual Review of the City of Cupertino's Development Impact Fees (Government Code Section 66000 et seq.); and Adopt Resolution No. 18-105 entitled "A Resolution of the City Council of the City of Cupertino, California, Approving the Five-Year and Annual Development Impact Fee Reports and Making Required Findings."
[Staff Report](#)
[A - Developer In-Lieu Fee Report](#)
[B - Draft Resolution](#)

6. Subject: Notice of Intent to Vacate an Easement for Storm Drain Retention Basin Purposes located on 23500 Christo Rey Drive
Recommended Action: Adopt Resolution No. 18-106 to notice the public of the intent to vacate an easement for storm drain retention basin purposes located on 23500 Cristo Rey Drive, and set a public hearing on December 4, 2018, at 6:45 p.m.
[Staff Report](#)
[A - Storm Drain Retention Easement Area](#)
[B - New Storm Drain Easement](#)
[C - Draft Resolution](#)

SECOND READING OF ORDINANCES

PUBLIC HEARINGS

ORDINANCES AND ACTION ITEMS

REPORTS BY COUNCIL AND STAFF

7. Subject: Report on Committee assignments and general comments
Recommended Action: Report on Committee assignments and general comments

ADJOURNMENT

The City of Cupertino has adopted the provisions of Code of Civil Procedure §1094.6; litigation challenging a final decision of the City Council must be brought within 90 days after a decision is announced unless a shorter time is required by State or Federal law.

Prior to seeking judicial review of any adjudicatory (quasi-judicial) decision, interested persons must file a petition for reconsideration within ten calendar days of the date the City Clerk mails notice of the City's decision. Reconsideration petitions must comply with the requirements of Cupertino Municipal Code §2.08.096. Contact the City Clerk's office for more information or go to <http://www.cupertino.org/index.aspx?page=125> for a reconsideration petition form.

In compliance with the Americans with Disabilities Act (ADA), anyone who is planning to attend the next City Council meeting who is visually or hearing impaired or has any disability that needs special assistance should call the City Clerk's Office at 408-777-3223, 48 hours in advance of the Council meeting to arrange for assistance. Upon request, in advance, by a person with a disability, City Council meeting agendas and writings distributed for the meeting that are public records will be made available in the appropriate alternative format. Also upon request, in advance, an assistive listening device can be made available for use during the meeting.

Any writings or documents provided to a majority of the Cupertino City Council after publication of the packet will be made available for public inspection in the City Clerk's Office located at City Hall, 10300 Torre Avenue, during normal business hours and in Council packet archives linked from the agenda/minutes page on the Cupertino web site.

IMPORTANT NOTICE: Please be advised that pursuant to Cupertino Municipal Code 2.08.100 written communications sent to the Cupertino City Council, Commissioners or City staff concerning a matter on the agenda are included as supplemental material to the agenda item. These written communications are accessible to the public through the City's website and kept in packet archives. You are hereby admonished not to include any personal or private information in written communications to the City that you do not wish to make public; doing so shall constitute a waiver of any privacy rights you may have on the information provided to the City.

Members of the public are entitled to address the City Council concerning any item that is described in the notice or agenda for this meeting, before or during

consideration of that item. If you wish to address the Council on any issue that is on this agenda, please complete a speaker request card located in front of the Council, and deliver it to the Clerk prior to discussion of the item. When you are called, proceed to the podium and the Mayor will recognize you. If you wish to address the City Council on any other item not on the agenda, you may do so by during the public comment portion of the meeting following the same procedure described above. Please limit your comments to three (3) minutes or less.